

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 12, 2002**

DIVISION TWO

B148721 People v. Allen (Not for Publication)

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The conviction and sentence for count 2 are stricken; the judgment otherwise is affirmed.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Nott, J.

B149207      Equality Emergency Medical Group      (Not for Publication)  
v.  
Valley Presbyterian Hospital

The judgment of dismissal is affirmed.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Nott, J.

B144346 Maria R., et al. (Not for Publication)  
v.  
Diaz

The summary judgment in favor of respondent is affirmed.

Doi Todd, J.

We concur: Boren, P.J.  
Ashmann-Gerst, J.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B152031 People v. Michael Miller  
B153684 DCFS v. Anthony G.

Argument waived, cause submitted.

B152740     E.M.M.I.  
              v.  
              Zurich American

Merits:

Argued by John N. Quisenberry for appellant and by Mark Kopp for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:00 A.M.

Present: Turner, P.J., Grignon, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

B145879     Norman J. White et al.  
              v.  
              Takeko Amy Amano et al.

Merits:

Argued by Norman J. White, in propria persona for appellant and by Roger P. Heyman for respondents. Cause submitted.

Court recessed.

DIVISION FIVE (Continued)

Court reconvened at 11:00 A.M.

Present: Grignon, Acting P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B151438 People v. Florencio Santana Jr.  
B155013 People v. Jesus C.  
B151148 People v. Martin H.  
B155657 DCFS v. Albert O.  
B153025 DCFS v. Kathleen D. et al.  
B151616 DCFS v. Linda M.  
B157121 Denson H. v. S.C.L.A. (DCFS)  
B157445 Socorro L. v. S.C.L.A. (DCFS)

Argument waived, cause submitted.

B156925      CMPB Friends Inc. etc  
                 v.  
                 Alcoholic Beverly Control Appeals Board, etc.

Merits:

Argued by Joshua Kaplan for appellant and by Michelle Logan-Stern,  
deputy attorney general, for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Grignon, Acting P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B151803 Betancourt v. Rangel  
B152509 Wilkes v. Fennell-Logan  
B122810 Flanagan v. Flanagan

Argument waived, cause submitted.

## DIVISION FIVE (Continued)

B151737      Los Angeles County Professional Peach Officers Association et al.  
v.  
County of Los Angeles et al.

Merits:

Argued by Paul Elliott Crost for appellants and by Albert D. Kelly, deputy county counsel, for respondents. Cause submitted.

B151737 Carol Deeter  
v.  
Patrick McNicolas

Merits:

Argued by Norman Pine for appellant and by Howard M. Fields for respondent. Cause submitted.

Court adjourned.

## DIVISION FIVE

B156539      Equis Corporation  
v.  
Chrstina Development Corporation et al.

Filed order denying petition for rehearing.

## DIVISION SIX

B155901 People (Not for Publication)  
v.  
Perez

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, P.J.  
                         Coffee, J.

DIVISION SEVEN

B152445      Ronald Kirsh                      (Not for Publication)  
                 v.  
                 UNUM Life Insurance Co.

The judgment is affirmed. Each party to bear their own costs.

Lillie, P.J.

We concur:   Johnson, J.  
                 Woods, J.

B153587      TIG, Successor to Transamerica      (Not for Publication)  
                 v.  
                 Andrews Sporting Goods et al.

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur:   Johnson, J.  
                 Woods, J.

B148046      Nelson Silver et al.                      (Not for Publication)  
                 v.  
                 California Fair Plan Assoc.

The order is affirmed. Motion for sanctions is denied. Respondents Silvers are entitled to costs on appeal.

Lillie, P.J.

We concur:   Woods, J.  
                 Perluss, J.

DIVISION SEVEN (Continued)

B144485      Karen Helsel                      (Not for Publication)  
                 v.  
                 Buzz Helsel

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur:    Woods, J.  
                 Perluss, J.

B154050      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 Steven H., Sr.,  
                 In re Steven H., Jr., et al.

The judgment is affirmed.

Lillie, P.J.

We concur:    Johnson, J.  
                 Woods, J.

B153019      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 Robin D.  
                 In re Ariel S., et al.

The order denying Robin D. a hearing on her petition filed pursuant to section 388 is reversed and the cause remanded for further proceedings.

Lillie, P.J.

We concur:    Johnson, J.  
                 Woods, J.

## DIVISION SEVEN (Continued)

B151916      People      (Not for Publication)  
v.  
Michael Reyes Canedos

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Perluss, J.

B150617 People v. Derrick W. Frazier (Not for Publication)  
B157293 In re Derrick W. Frazier on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied.

Lillie, P.J.

We concur:   Johnson, J.  
                      Perluss, J.

B148763 People (Not for Publication)  
v.  
Jason S.,

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

DIVISION SEVEN (Continued)

B146361      People v. Jason B. Paulino      (Not for Publication)  
B156527      In re Jason Paulino on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus denied.

Lillie, P.J.

We concur:    Woods, J.  
                     Perluss, J.

B149546      People v. Theodore Burley      (Not for Publication)  
B157347      In re Theodore Burley on Habeas Corpus

The judgment of conviction is reversed. The matter is remanded for further proceedings not inconsistent with this opinion. All further proceedings shall be held before a trial judge other than Judge Jean. Relief having been granted on appeal, the petition for writ of habeas corpus is dismissed as moot.

Perluss, J.

We concur:    Johnson, Acting P.J.  
                     Woods, J.

B153137      Gordon Smith      (Not for Publication)  
                     v.  
                     Workers Compensation Appeals Board  
                     City of Los Angeles, Respondent

The decision of the WCAB is annulled and the cause is remanded for further proceedings consistent with this opinion.

Lillie, P.J.

We concur:    Johnson, J.  
                     Woods, J.



## DIVISION SEVEN (Continued)

B151000 People (Not for Publication)  
v.  
Jarrett D.

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.  
Perluss, J.

B149785      People      (Certified for Partial Publication)  
v.  
Fernando Noriega

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.  
Woods, J.

B146415      Terry Rusheen                      (Certified for Partial Publication)  
v.  
Colleen E. Drews et al.

The judgment as to defendants Elmer and Elizabeth Drews is affirmed. The judgment as to defendant Colleen Drews is affirmed with respect to liability and general damages and reversed on the issue of exemplary damages only. The parties are to bear their own costs on appeal.

Johnson, J.

We concur: Lillie, P.J.  
Perluss, J.

DIVISION SEVEN (Continued)

B144140      Marcus Cazares                      (Not for Publication)  
                 v.  
                 Rowell & Tessier et al.

The judgment is affirmed. Each party to bear their own costs.

Johnson, Acting P.J.

We concur:    Woods, J.  
                 Perluss, J.

B152764      Teri Pagarigan et al.                      (Certified for Partial Publication)  
                 v.  
                 Libby Care Center, Inc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur:    Lillie, P.J.  
                 Woods, J.

B148647      People    (Not for Publication)  
                 v.  
                 Joseph Lee Williams

Defendant's sentence is modified by striking three of the one year enhancements under Penal Code section 667.5, subdivision (b) and awarding defendant 572 days of presentence custody credit. The trial court is directed to prepare a modified abstract of judgment and send a copy of the corrected judgment to the Department of Corrections. The judgment is affirmed as modified.

Johnson, J.

We concur:    Lillie, P.J.  
                 Perluss, J.

DIVISION SEVEN (Continued)

B150392     Anita R. Padgett  
               v.  
               James H. Mitchell, Jr., et al.

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION EIGHT

B149008     Bonilla et al.                             (Not for Publication)  
               v.  
               Franchise Tax Board

The judgment is reversed and the trial court is directed to enter judgment for the Franchise Tax Board. Each side is to bear its own costs on appeal.

Boland, J.

We concur:   Cooper, P.J.  
                     Rubin, J.

B151464     People     (Not for Publication)  
               v.  
               Rafael M.

The judgment is affirmed.

Boland, J.

We concur:   Cooper, P.J.  
                     Rubin, J.

B147589     Stokes  
               v.  
               California Horse Racing Board

Filed order modifying opinion. (Change in judgment)